

Application No.: 10/069,327

Docket No.: 09669/021001

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

Disposition of Claims

Claims 1-8 are pending in the present application. Claim 1 is independent. The remaining claims depend, directly or indirectly, from claims 8

Claim Amendments

Independent claim 1 has been amended to clarify: (i) that the service (e.g., an application) includes a sequence of commands; (ii) that at least an initial command of the sequence of commands is stored on the integrated circuit (IC) card; (iii) that the memory of the IC card includes link data identifying the next command in the sequence of commands to execute after the initially stored command is executed; and (iv) that the IC card is searched for the next commands, as identified in the link data, prior to searching the server for the next command (or a command sequence comprising the next command). In addition, claim 1 has been amended to address antecedent basis issues. Further, claim 1 has been amended to remove all Figure labels. Support for the aforementioned amendments may be found, for example, on pages 4-8 of the referenced application.

Claims 2-8 has been amended to remove all Figure labels and address antecedent basis issues arising from the amendment of independent claim 1. No new matter has been added by any of the aforementioned amendments.

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Rejections under 35 U.S.C § 103

Claims 1-5 and 7-8 stand rejected under 35 U.S.C. §103 as being unpatentable over U.S. Patent No. 5,901,303 ("Chew"). To the extent that this rejection applies to the amended claims the rejection is respectfully traversed.

"To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations." (MPEP § 2143).

Turning to the rejection, the Applicant respectfully asserts that Chew does not teach or suggest all the claim limitations. Specifically, Chew teaches inserting a card into a card reader, determining, after inserting the card into the card reader, whether the card includes a specific function, and, if the card does not include the specific function, downloading the *entire* function (*i.e.*, an entire application) onto the card (*see* Chew, col. 10, l. 59- col. 11, l. 28).

Amended independent claim 1 requires the presence of an initially stored command, where the command is part of a sequence of commands, the sequence of commands is associated with a single service (*e.g.*, a single application), and the initially stored command is executable. In contrast, Chew only initially includes a downloading program used to obtain entire function. The downloading program is completely separate from the function (*i.e.*, the function that is being downloaded). Said another way, the downloading program and the function do not correspond to a sequence of commands, where the sequence of commands is associated with a

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single service. Accordingly, the downloading program cannot be reasonably construed to correspond to the initially stored command and the downloaded function cannot be reasonably construed to correspond to the next command. Such an assertion would effectively readout the explicit requirement that the initially stored command and the next command are part of a sequence of commands, where the sequence of commands is associated with a single service (e.g., a single application). For the same reasons, the sequentially loaded functions disclosed in Chew (e.g., F2 and F3, *see* Chew, col. 10, l. 59- col. 11, l. 28) also cannot be reasonably construed as being part of a sequence of commands, where the sequence of commands is associated with a single service (e.g., a single application). Specifically, each of the functions is itself an application as opposed to a command or sequence of commands in a single application.

Chew also does not disclose or suggest executing a first command of a service (e.g., an application) and then using link data stored on the card to obtain the next command to execute for the service. Rather, Chew is limited to a single downloading programming used to download entire functions onto the card. The Examiner has noted that partial functions may be present on the card at the time of manufacturing or shipping (*see* Chew, col. 7, ll. 20-30). However, there is no teaching or suggestion of executing the partial functions on the card. Further, even assuming *arguendo* that Chew teaches executing the partial functions, there is no teaching of using link data on the card to determine the next portion of the function to obtain. Specifically, Chew does not teach or suggest storing any type of information on the card that would allow the card to determine the next command to execute after the initially stored command is executed, where the initially stored command and the next command are part of a sequence of commands, where the sequence of commands is associated with a single service (e.g., a single application).

Moreover, there is no teaching or suggestion of using link data to determine whether the next command of the sequence of commands is located in the memory of the card. Said another

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way, the claims require that the card be searched to determine whether the next command to be executed is present on the card. Given that Chew does not teach executing partial functions, it follows that chew does not teach or suggest searching for the next command to execute after the initially stored command has been executed. Rather, Chew only discloses searching for the presence of an entire function as opposed to a next command, where the next command is part of a sequence and the sequence is associated with a single service (e.g., a single application).

In view of the above, amended independent claim 1 is patentable over Chew. Dependent claims are patentable over Chew for at least the same reasons.

Claim 6 stands rejected under 35 U.S.C. §103 as being unpatentable over Chew in view of U.S. Patent No. 5,467,081 ("Drews"). To the extent that the rejection applies to the amended claims, the rejection is respectfully traversed. Amended claim 6 depends from amended independent claim 1.

As discussed above, Chew fails to teach or suggest all the limitations of amended independent claim 1. Further, Drews does not teach or suggest that which Chew lacks. This is evidenced by the fact that Drews is only relied upon to teach various read/write access privileges associated with various areas in a memory (*see* Office Action mailed April 19, 2006, p. 4). In view of the above, amended independent claim 1 is patentable over Chew and Drews. Dependent claim 6 is patentable over Chew and Drews for at least the same reasons

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Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 09669/).

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Amendment (9 pages)

Amendment Transmittal (1 page)